

## INSTRUCTIONS FOR SERVING AN EVICTION NOTICE IN WASHINGTON

 These instructions are for the state of Washington. Even in Washington, these instructions are general information and not a substitute for legal advice.

Service of eviction notices is strictly construed against the landlord. Even if the landlord can prove the tenant actually received the eviction notice, in court in an eviction the landlord must prove strict adherence to the legal requirements for serving an eviction notice. There are three acceptable means to serve an eviction notice on a tenant.

1. Delivering a copy personally to each adult occupant.
2. Substitute service on some person of suitable age and discretion **AND** mailing a copy to each adult occupant.
3. If neither the tenant nor a person of suitable age and discretion is present then affixing a copy of the notice for each tenant in a conspicuous place on the premises AND mailing a copy to each adult occupant.



In many Washington counties residential tenants get a free attorney. A good tenant attorney might cross-examine the landlord witness as to whether the eviction notice was posted without inquiring if anyone was present.

**Mailing.** When mailing is required regular first class is fine unless the lease requires certified. Mailing alone is *never* sufficient, *even if* the tenant actually receives the document. Mailing does *not* mean the landlord placing the notice in the tenant's mailbox. Mailing means utilizing the US Postal Service. When mailing is required, one day is added by rule before the landlord can take further action. Mail from the same county where the property is located.

**More than one occupant.** If there is more than one person living in the property it is important to serve enough copies for each person. If someone answers the door, hand that person enough copies of the notice for everyone and mail copies to each occupant. Likewise if posting, post enough copies for each occupant and also mail copies to each occupant. This does not mean each tenant separately named on individual notices. It means exact copies of one notice, each of which lists the names of all tenants. Do not name unauthorized occupants, but do serve enough copies to account for them.

**Posting.** Notices must be posted in a conspicuous manner.

**Rent.** Do not demand deposits, utilities, or other non-rent items on the 3-day pay rent or vacate notice. These items should be on a notice to comply or vacate. Itemize all rent amounts by month. Itemize late fees separately from the rent and also by month, or a better practice is to put late fees on a notice to comply or vacate.

***Do not serve these instructions on the tenant.***

**NOTICE TO PAY RENT OR VACATE**

TO: \_\_\_\_\_  
AND TO ALL PERSONS IN POSSESSION

You and each of you are notified that rent for the premises commonly known as \_\_\_\_\_, Washington

is in arrears in the amount(s) indicated:

rental period(s)	amount
_____	_____
_____	_____
_____	_____
_____	_____

**YOU MUST PAY THE RENT WITHIN THREE (3) DAYS OR VACATE THE PREMISES.**

You are instructed within three (3) days of service of this notice to either pay the rent to the undersigned or vacate the premises. If you fail to comply with this notice, your landlord may begin an unlawful detainer action against you, seeking to evict you and seeking all other remedies, relief, and damages allowed by law.

If you have been served more than one type of notice you must comply with each and every notice by the applicable deadlines stated in the various notices. A different deadline in another notice does not extend the deadline in this notice. Each notice requires compliance with its terms. Compliance with one notice is not compliance other notices.

DATED \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of landlord or agent

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Address